

UNITED STATES DISTRICT COURT  
DISTRICT OF MARYLAND

CHAMBERS OF  
ANDRE M. DAVIS  
UNITED STATES DISTRICT JUDGE

U.S. COURTHOUSE  
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August 29, 2003

MEMORANDUM TO COUNSEL RE:

Bruno v. Enste  
Civil No. AMD 03-358

I have carefully reviewed the recently-filed motions to modify the scheduling order and to permit the filing of a third party complaint. Because I am not persuaded that good cause has been demonstrated for the filing of the eleventh-hour motion to modify the schedule, the motion is DENIED. Moreover, I am not persuaded that good cause has been demonstrated for defendant's failure to file its third party claim within the time allowed by the scheduling order (June 2, 2003). Accordingly, that motion is DENIED. Obviously, defendant is free to institute an independent action against the proposed third party defendant.

Although I have denied the motion to modify the scheduling order, I have no objection if the parties wish to agree (as among themselves) to an informal modification of the schedule. Nevertheless, the status report due date (September 2, 2003) and the dispositive motion due date (September 29, 2003) remain unchanged.

Very truly yours,

/s/

Andre M. Davis  
United States District Judge

AMD:tt